

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>CARL F. SCHULTZ, JR, <i>et al.</i>,</b>	:	<b>CIVIL ACTION NO. 4:10-CV-0262</b>
	:	
<b>Plaintiffs</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>HUGHESVILLE BOROUGH, <i>et al.</i>,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 6th day of May, 2010, upon consideration of the pending motion (Doc. 14) to dismiss, filed by defendants Hughesville Borough, Richard Shearer, Kurt V. Hockman, and Michael Palmeter (collectively, “defendants”) on April 20, 2010, and it appearing that plaintiffs Carl F. Schultz, Cindy Schultz, Melissa Schultz, and Bear & Hunter, Inc t/d/b/a Bigdogz Sports Bar (collectively, “plaintiffs”) amended their complaint on May 5, 2010, (see Doc. 18); see also FED. R. Civ. P. 15(a) (allowing a party to “amend its pleading once as a matter of course . . . before being served with a responsive pleading”), and recognizing that an “amended complaint supersedes the original version,” Snyder v. Pascack Valley Hosp., 303 F.3d 271, 276 (3d Cir. 2002); see also 6 CHARLES A. WRIGHT ET AL., FEDERAL PRACTICE AND PROCEDURE § 1476, at 556 (2d ed. 1990), it is hereby ORDERED that defendants’ motion (Doc. 14) to dismiss the complaint is DENIED

as moot. The complaint (Doc. 1) is superseded by the amended complaint (Doc. 18).

See Snyder, 303 F.3d at 276.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge